

MINUTES
BOARD OF ADJUSTMENT
MARCH 5, 2015

THOSE IN ATTENDANCE:

Chairman Gary Soule
Anne Martin
Liza Streett
Anne Bishop
Ray Tait

Louis Clayton, Planner
Ken Heinz, Acting City Attorney

Chairman Soule called the meeting to order at 5:00 p.m. He welcomed everyone to the meeting and noted that there was one matter to be considered this evening. Chairman Soule announced that there is a full complement of the Board present this evening and that four favorable votes must be received for a variance to be granted. All Board members and city staff introduced themselves. Everyone wishing to speak this evening was sworn-in by the recording secretary.

MINUTES

The minutes of the February 5, 2015 meeting were presented for approval. It was noted that Susan Istenes was not in attendance at the meeting and that her name should be removed from the attendance list. The minutes were then approved, as amended, after having been previously distributed to the members.

AN APPEAL SUBMITTED BY DANIEL BURKE, ATTORNEY FOR THE OWNER, FOR THE PROPERTY AT 226 SOUTH MERAMEC AVENUE

Daniel Burke was in attendance at the meeting. Also in attendance was Michael Bauer, project architect.

Everyone wishing to speak was sworn in by the recording secretary.

Chairman Soule asked if the City had any exhibits that they would like to be entered into the record.

Ken Heinz asked that the following City exhibits be received:

- A) Code of Ordinances of the City of Clayton and the City's Master Plan; and
- B) Zoning Review Application and Denial Letter; and
- C) Appeal; and
- D) Drawings submitted by Applicant; and
- E) Staff Report.

Chairman Soule asked the applicant if he had any objections to these exhibits.

Mr. Burke replied “no”.

Chairman Soule indicated that the exhibits will be received and put into the record.

Mr. Burke began by stating that he has with him the color renderings that were included in the packet material.

Chairman Soule commented that they would be marked as Group Exhibit 1.

Mr. Burke thanked everyone for their time this evening. He informed the members that his client (Southern Real Estate) closed on the property since the appeal was filed. He stated that the company has been in operation since 1903 and that it is time they relocate and they chose the subject property for which to occupy. He noted that this building is over 50 years old and that because the building is flush with the property line, there’s little that can be done. He stated that his client does not want to demolish and start over (rebuild). He asked that they be allowed to add a new skin and architectural elements to the building for appearance purposes. He stated that the practical difficulties are that there is no room on the lot and that they believe these proposed changes to the building will benefit the City more than it will benefit the owners. He informed the members that a rezoning to a Planned Unit Development (PUD) is not possible due to the building’s size. He called this proposal a “major facelift” for this old building; one which will have no adverse impact on public safety or health. He indicated that the owners are very committed to Clayton (as they have already purchased the property) and the project. He noted that this Board will not be the only Board to review this proposal as it will have to go before the City’s Architectural Review Board also.

Liza Streett asked how the new canopy compares with the existing one.

Mr. Bauer indicated that the bubble top will be eliminated, but the new one, which is more horizontal, projects out a bit further.

Liza Streett asked if it will be closer to the sidewalk.

Mr. Bauer replied “yes; about a foot closer”.

Liza Streett asked if the black band across the ground floor level is at the same plane as the 2nd and 3rd floors.

Mr. Bauer indicated that they tried to get it inside; noting the short garage at 7-foot, 3-inches.

Liza Streett asked if it could be put within the setback.

Mr. Bauer stated he believed it could.

Liza Streett referenced the City's ordinance with regard to variances that talks about practical difficulties and unnecessary hardships. She asked Mr. Bauer to address that.

Mr. Bauer stated that if they don't make any encroachment, they would be limited to painting.

Liza Streett asked if there was anything structurally wrong with the building.

Mr. Burke indicated that he is not aware of any structural issues.

Mr. Bauer noted that although the granite will be thin, it will provide extra protection for this 50+ year old building.

Liza Streett asked if the cornice is a design element.

Mr. Bauer replied "yes".

Liza Streett asked about the pillars.

Mr. Bauer stated that they will help hold up the cornice a bit, but not much.

Mr. Burke reiterated that if the variances are granted, this proposal will also have to go before the City's Architectural Review Board. He informed the members that a number of potential purchasers declined buying the property because of the money it would take to visually enhance, whereas this will be his clients' "home".

Ray Tait asked if, absent these requested variances, the owners would be unable to renovate.

Mr. Burke reiterated that his clients have closed on the property and that they would have to explore other options.

Liza Streett commented that this is a matter of taste and realizes that the City's ARB weighs in on this, but she questioned if there was any discussion on playing up the existing building's style.

Mr. Burke indicated that although they did consider staining/painting the building and while its style is making a comeback, the building is a box and simply painting or staining would not express "corporate headquarters" which is what the owners want to achieve.

Liza Streett commented that this is the shortest building on the block and that she feels it (the building) could have made an impression within the setback by adding some height. She stated that some architect really put their mind into this building back in 1961.

Mr. Bauer stated that all new mechanical equipment is also part of the renovation project.

Liza Streett asked if equipment will be on the roof.

Mr. Bauer replied “yes”, noting that there will be a stair that will provide rooftop access for the HVAC technicians. He stated that the cornice will serve other purposes than simply an aesthetic one.

Chairman Soule asked if any members had any questions for staff. He asked Louis if this were a larger project (at least 50,000 square feet), it could qualify for a Planned Unit Development.

Louis Clayton replied “yes”. He added that in addition to a PUD, there are three downtown overlay districts that waive building setbacks. He noted the subject building, according to St. Louis County records, is a little over 11,000 square feet.

Chairman Soule asked if a lot of buildings in downtown Clayton encroach over the building line.

Louis Clayton replied “yes”. He noted that in addition, some of them are built all the way up to the property line.

Chairman Soule asked if staff considers these encroachments to be minor.

Louis Clayton replied “yes”.

Chairman Soule asked if staff agrees that there will be no detrimental effects if these variances are granted.

Louis Clayton replied “yes”.

Chairman Soule asked if staff agrees that the proposed architectural features are similar to other downtown Clayton buildings.

Louis Clayton replied “yes”.

Chairman Soule asked if the structure would impede light or air to adjacent properties.

Louis Clayton replied “no”.

Chairman Soule asked if staff agreed with the applicant’s assessment of the alternatives referred to in the application.

Louis Clayton replied “yes”.

Being no further questions or comments, Anne Bishop made a motion to approve the variances as requested (a 9-foot 6-inch variance for an entrance canopy, a 6-inch variance for the building skin, a 1-foot variance for an overhead coiling grill unit, a 4-foot variance for architectural columns, a 5-foot variance for an architectural cornice and a 2-foot 6-inch variance for a decorative canopy). The motion was seconded by Anne Martin and unanimously approved by the members.

Chairman Soule welcomed them to Clayton.

Being no further business for the Board of Adjustment, this meeting adjourned at 5:45 p.m.

Recording Secretary